

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VICTOR UKADIKE EZEIBE,
Plaintiff

v.

COREY CHIVERS, et al.,
Defendants

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No. 1:19-cv-00189

(Judge Kane)

ORDER

AND NOW, on this 24th day of March 2022, upon consideration of Defendants' Motion to Preclude the Expert Report and Opinions of John G. Peters, Jr. (Doc. No. 61), the briefing and exhibits associated with the motion, as well as the testimony offered at the hearing conducted on January 11, 2022, and in accordance with the Memorandum issued concurrently with this Order,

IT IS ORDERED THAT Defendants' motion is **GRANTED IN PART** and **DENIED IN PART**, as follows:

- (1) Defendants' motion is **GRANTED** as to the opinions offered in Parts One and Five¹ of Dr. Peters' Report (Doc. No. 61-3);
- (2) Defendants' motion is **DENIED** as to the opinions offered in Parts Two, Three and Four of Dr. Peters' Report (Doc. No. 61-3), and Dr. Peters may testify as to: (a) his knowledge, experience, and background; (b) appropriate police procedures relevant to information received by a police officer from a dispatcher via a Mobile Digital Terminal (MDT), especially with regard to the specifics of a search of a Pennsylvania license plate; (c) standard officer safety procedures when planning the stop of a suspect; and (d) national use-of-force standards and guidelines, and whether the officers' conduct during the incident forming the basis of this case conformed to the above procedures and standards; however, Dr. Peters may not testify as to any of the officers' intent or knowledge, or that the conduct of the officers was unreasonable; and

¹ As noted in the accompanying Memorandum, Plaintiff does not oppose Defendants' motion to preclude the opinions offered in Part Five of Dr. Peters' Report.

- (3) The Court will hold a status telephone conference with the parties on **July 14, 2022 at 10:00 AM**. Plaintiff's counsel shall initiate the call. The telephone number of the Court for purposes of the call is 717-221-3990.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania